

REMARKS

Claims 1-6 are pending. Claims 1 and 2 have been amended to correct informalities in the claim language and to more clearly define the claimed subject matter. Support may be found, for example, at paragraphs [0051]-[0054] of the present application.

Applicants note with appreciation the indication of allowance of claim 1 and allowability of the subject matter recited by claim 6.

The Examiner rejected claims 2-5, on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-6 of Okamura (USP 7,081,424). Applicants respectfully traverse.

Applicants submit that claim 2, as amended, now recites a bonding material consisting of an Al compound. In contrast to amended claim 2, a binder claimed in Okamura is formed of at least one selected from the group consisting of a nitride, a carbide, a boride, and an oxide of an element belonging to the 4a, 5a and 6a groups of the periodic table and a solid solution thereof, an aluminum compound, and an unavoidable impurity, as recited in claim 1 of Okamura. Therefore, Applicants respectfully submit that claim 2 and claims 3-5 depending upon claim 2 of the present application are patentably distinct over claims 1-6 of Okamura. Thus, it is respectfully requested that the Examiner withdraw the rejection of claims 2-5. Consequently, claims 2-5 are allowable. Since claim 6 depend upon claim 2, this claim is also allowable.

CONCLUSION

Having fully responded to all matters raised in the Office Action, Applicants submit that all claims are in condition for allowance, an indication for which is respectfully solicited. If there are any outstanding issues that might be resolved by an interview or an Examiner's amendment, the Examiner is requested to call Applicants' attorney at the telephone number shown below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP



Brian K. Seidleck

Registration No. 51,321

600 13th Street, N.W.
Washington, DC 20005-3096
Phone: 202.756.8000 BKS:TS:lnm
Facsimile: 202.756.8087
Date: October 30, 2008

**Please recognize our Customer No. 20277
as our correspondence address.**